

Swain, T

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSITAS EDUCATION, LLC,

Judgment Creditor,

-against-

NOVA GROUP, INC., as trustee, sponsor and
fiduciary of THE CHARTER OAK TRUST :
WELFARE BENEFIT PLAN,


Judgment Debtor.
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9-25-2015

Case Nos. 11 CV 1590-LTS-HBP and
11-8726-LTS

~~PROPOSED~~ **SUPPLEMENTAL ORDER TO SHOW CAUSE AND
TEMPORARY RESTRAINING ORDER**

PLEASE TAKE NOTICE that, upon the declaration of Paula K. Colbath, Esq., dated September 23, 2015 (with exhibits), and the accompanying Memorandum of Law filed by Plaintiff/Judgment Creditor Universitas Education, LLC ("Universitas"), and good cause and sufficient cause appearing therefrom:

 **IT IS HEREBY ORDERED** that Defendants show cause before the Hon. Laura Taylor Swain, at the United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on November 10, 2015, at 2:00 ^{Courtroom 12D,} ~~am~~/p.m., as to why an Order should not be issued, pursuant to Fed. R. Civ. P. 69(a)(1) and N.Y. C.P.L.R. § 5240 extending the expiration date of restraining notices served by Universitas on several third-party garnishees, which currently expire on or around September 24, 2015 until Universitas' Judgments against Judgment Debtors' Nova Group, Inc., Daniel Carpenter, Grist Mill Trust Welfare Benefit Plan and any trustees and plan sponsors thereof insofar as they hold Grist Mill Trust assets, Grist Mill Capital, LLC, Grist Mill Holdings, LLC, Carpenter Financial Group, Avon Capital, LLC,

Phoenix Capital Management, LLC, and Hanover Trust Company are satisfied in full (collectively, the “Judgment Debtors”);

AND IT IS FURTHER:

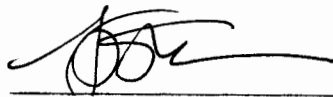
ORDERED, that pending the determination of Universitas’ application for an extension of the expiration date of said restraining notices, the restraining notices previously served on the following third-party garnishees shall remain in effect: Benistar Admin Services, Inc., Molly Carpenter, Donald Trudeau, Kathy Kehoe, Donna Wayne, Amanda Rossi, Ineke Murphy, Donna Dawson, Westcott & Associates, Matt Westcott, National Life Insurance Co. and Life Insurance Co. of the Southwest, the SADI Trust, Hanover Benefit Plans, LLC, Birch Hill Partners, LLC, Grist Mill Partners, LLC, Security Life of Denver Insurance Co., Audit Risk Indemnity Association, Aviva Risk Indemnity Assoc., MassMutual Financial Group and MassMutual Life Insurance Co., American General Life Insurance Co., Union Central Life Insurance Co., Fidelity and Guaranty Life Insurance Co., Transamerica Financial Life Insurance Company, Carpenter Charitable Remainder Trust, TPG Group, Nova Benefit Plans, MetLife, Simsbury Bank and Trust Company, Seir Hill Partners, LLC, and Greyhound Partners, LLC.

ORDERED that service of a copy of this Order, together with the underlying papers upon which it was granted, be made through the Electronic Case Filing (“ECF”) system upon the Judgment Debtors’ counsel who have appeared in this action;

ORDERED that any papers in opposition to Plaintiff's motion shall be served

- ✓ upon counsel for Universitas through the ECF system on or before October 19, 2015, and
- ✓ that any reply papers shall be served through the ECF system on or before November 2, 2015 *Courtesy*
Copies must be provided for chambers of the undersigned at the time of
filing.

Dated: New York, New York
September 24, 2015



LAURA TAYLOR SWAIN, U.S.D.J

